AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A nestable container having four sidewalls flared upwardly and outwardly from a common bottom with each sidewall connected to adjacent sidewalls by an inwardly fluted web extending over a majority of the height of the sidewall from the common bottom and defining thumb and finger gripping corners at the edges of said sidewalls.

2. (Original) A nestable container as set forth in claim 1, wherein an upper end of each fluted web has an upper edge that is continuous with upper edges of the adjacent sidewalls and defines a continuous edge for engagement with a lid.

3. (Original) A nestable container as set forth in claim 2, wherein the nestable container is adapted to nest with a second nestable container having an upper edge shaped substantially similar to the upper edge of the nestable container, the second nestable container defining an internal volume different than that of the nestable container.

4. (Original) A nestable container as set forth in claim 3, wherein the nestable container and the second nestable container have internal volumes selected from a group consisting of: 2 quart, 1 quart, and 1 pint.

5. (Original) A nestable container as set forth in claim 3, in combination with the lid, the lid adapted to fit both the nestable container and the second nestable container.

6. (Original) A nestable container as set forth in claim 4, wherein the sidewalls are arranged essentially at 90° to each adjacent sidewall.

7. (Original) A nestable container as set forth in claim 1, wherein an open end of the nestable container is defined by an upper edge adapted to mate with a lid, the upper edge being bowed outwardly at all points.

8. (Original) A nestable container as set forth in claim 7, in combination with the lid.

9. (Original) A combination as set forth in claim 8, wherein the lid is made of a soft plastic material and is adapted to stretch around the upper edge of the container for mating with the container.

10. (Original) A combination as set forth in claim 9, wherein the lid and the upper edge are defined by a substantially 10 inch radius along points adjacent to each sidewall and a substantially 1.6 inch radius along points adjacent to each fluted web.

11. (Previously Presented) A combination as set forth in claim 9, wherein the inwardly fluted web provides access to an underside of a protruding rim of the lid for facilitating removal of the lid from the container.

12. (Previously Presented) A combination as set forth in claim 11, wherein the upper edge of the container comprises an outwardly facing rim for securing the lid to the container.

13. (Original) A nestable container as set forth in claim 1 having a nonflared stepped section at an upper end of the sidewalls with the nonflared stepped section defined at least in part by lines substantially parallel to a center longitudinal axis of the container.

14. (Original) A nestable container as set forth in claim 13 wherein the sidewalls are outwardly bowed.

15. (Previously Presented) A nestable container as set forth in claim 1 having a stepped section contiguous with the sidewalls and defined by lines substantially parallel to a center axis of the container.

16. (Original) A nestable container as set forth in claim 14 wherein said stepped section defines a continuous wall about the top of the container and a plurality of ribs extending upwardly on the inner surface of said continuous wall to provide an interfering fit that limits nesting of another like container.

17. (Currently Amended) A nestable container having a frusto conic shaped sidewall with inwardly fluted webs extending over a majority of the height of the sidewall and defining thumb and finger gripping area for hand engagement with the container, wherein the inwardly fluted webs include a roughened textured surface to prevent the container from slipping out of a user's hand.

18-29. (Canceled)

30. (Previously Presented) A nestable container as set forth in claim 17, wherein a pair of inwardly fluted webs are arranged diametrically opposite one another.

31. (Previously Presented) A nestable container as set forth in claim 30, wherein the container has a bottom connecting the sidewall, and a top lip, with the inwardly fluted webs extending downwardly from the lip toward the bottom.

32. (Previously Presented) A nested container as set forth in claim 31, wherein the lip extends over the upper end of the fluted webs.

33. (Previously Presented) A nested container as set forth in claim 32, wherein the frusto conic sidewall has segments essentially defining four sidewalls.

34. (Previously Presented) A nested container as set forth in claim 33, having four inwardly fluted webs orthogonally arranged to one another.

35. (Currently Amended) A nested container having a frusto conic shaped sidewall, a plurality of inwardly fluted webs extending parallel to one another between ends of said sidewall and terminating at one end of the open end of the container, with a peripheral lip at the open end extending outwardly, a stepped section adjacent the peripheral lip, and a plurality of engagement ribs extending downwardly from the peripheral lip towards the stepped section.

36. (Currently Amended) A nestable container comprising:

a frusto conic shaped sidewall;

a plurality of inwardly fluted webs defining thumb and finger gripping areas along the sidewall;

wherein the inwardly fluted webs extend substantially along the length of the sidewall from a closed end to an open end, and wherein the fluted webs have a substantially uniform radius of curvature; and wherein the inwardly fluted webs include a roughened textured surface to prevent the container from slipping out of a user's hand.

37. (Currently Amended) A nestable container as set forth in claim 36, wherein the ~~inwardly fluted webs include a~~ textured surface ~~to enhance the thumb and finger gripping area~~ is formed by at least one of acid etching into a mold, applying an adhesive, and applying a film.

38. (Previously Presented) A nestable container as set forth in claim 36, wherein the inwardly fluted webs have a radius of curvature of approximately 0.5 inches.

39. (Previously Presented) A nestable container as set forth in claim 1, wherein the sidewalls are substantially planar.